IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

OP.No. 12309 of 1997(M)

PETITIONER:

K.AHAMED, S/O.BAVAN,
SECRETARY, PERUMUGAM MUTHUVATTUPURA,
JUMA-ATH PALLI COMMITTEE, P.O.,
PERUMUGAM.

BY ADV. SRI.M.A.MANHU
SRI.M.A.FAYAZ

RESPONDENTS:
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1. **SECRETARY,**
LOCAL ADMINISTRATION (L) DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT,'
THIRUVANANTHAPURAM.

2. **DISTRICT COLLECTOR, KOZHIKODE.**

3. **DISTRICT MEDICAL OFFICER, CIVIL STATION,**
KOZHIKODE.

4. **FEROKE GRAMA PANCHAYAT,**
REP.BY ITS SECRETARY,
P.O.FEROKE.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.21923/1997 IN OP. NO.12309/1997.

DISMISSED

06.06.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROCEEDINGS OF THE DISTRICT COLLECTOR, KOZHIKODE DT.21.2.1981 SANCTIONING THE OPENING OF THE BURIAL GROUND.

EXT.P2:- COPY OF THE ORDER NO.G.O.RT NO.843/LA & SWD DT. 19.3.82 ISSUED BY THE GOVERNMENT.

EXT.P3:- COPY OF THE ORDER NO.G.O.RT. BNO.2499/82/LA & FWD DT.9.8.82 ISSUED BY THE GOVERNMENT.

EXT.P4:- COPY OF THE ORDER NO.G.O.(MS) NO.39/85/LA & SWD DT.5.2.85 ISSUED BY THE GOVERNMENT.

EXT.P5:- COPY OF THE ORDER NO.A3-1256/82 DT.1.4.85 BY THE EXECUTIVE OFFICER, FEROKE PANCHAYAT.

EXT.P6:- COPY OF THE ORDER DT.5.5.86 OF THE DISTRICT COLLECTOR, KOZHIKODE.

EXT.P7:- COPY OF THE MEMORANDUM DT.27.11.1991 ISSUED BY THE COMMITTEE BEFORE THE HONOURABLE MINISTER FOR LOCAL ADMINISTRATION.

EXT.P8:- COPY OF THE URGENT NOTICE DT.4.11.92 RECEIVED TO THE PETITIONER.

EXT.P9:- COPY OF THE ORDER NO.G.O.RT 1717/97/LA & SWD DT.21.5.97 ISSUED BY THE 1ST RESPONDENT.

EXT.P10:- COPY OF THE NOTIFICATION DT.23.6.97 BY THE IST RESPONDENT.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NO. 12309 OF 1997

Dated this the 6th day of June, 2007.

J U D G M E N T

This original petition is filed with the following prayers.

i) a writ of certiorari or any other order or direction quashing Exhibit P9 order dated 21.5.1997 issued by the respondent.

ii) a writ of mandamus or any other writ or order directing the 1st respondent to dispose of Ext. P7 petition in accordance with law and allow the request of the petitioner to sanction an additional extent of 5 cents for burial ground to the existing burial ground.

2. In case no orders have been passed on Exhibit P7, there will be a direction to the 1st respondent to consider Exhibit P7 with notice to the petitioner and 4th respondent and pass appropriate orders in accordance with law, within a period of four months from the date of production of a copy of this judgment.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp